

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re Flint Water Cases.

Judith E. Levy
United States District Judge

_____/

This Order Relates To:

Walters, et al. v. Flint, et al., No.
17-cv-10164
and ALL CASES

_____/

**ORDER GRANTING IN PART PLAINTIFFS' MOTION TO SEAL
PORTIONS OF DR. AARON SPECHT'S DEPOSITION
TRANSCRIPT [377]**

On July 27, 2021, the Court issued an order in *Carthan v. Snyder*, Case No. 16-10444, which amended the protective order related to Dr. Aaron Specht's deposition transcript. (No. 16-10444, ECF No. 1916.) In that Order, the Court identified the portions of Dr. Specht's deposition transcript which it believed should be redacted under the standard set forth in Federal Rule of Civil Procedure 26(c)(1)(f), the Court's local rules, and its previous orders. In its July 27, 2021 Order, the Court also indicated, "[i]f Co-Liaison Counsel for Individual Plaintiffs believe there are other pages that contain identifying names and medical information

that should be included [in the redactions], they may set forth their arguments. . .” (*Id.* at PageID.67200.) Pursuant to that invitation, Co-Liaison Counsel for Individual Plaintiffs filed the present motion identifying additional portions of Dr. Specht’s transcript that they believe should be redacted under Rule 26(c)(1)(f).¹ (No. 17-10164, ECF No. 377.) In their motion, Co-Liaison Counsel for Individual Plaintiffs set forth a table indicating the specific pages, lines, and basis for their requests for additional redactions of Dr. Specht’s transcript. (No. 17-10164, ECF No. 377, PageID.26420–26423.)

The reasons for these redactions have been analyzed and set forth many times in this case under the standards set forth in *Shane Group v. Blue Cross Blue Shield of Mich.*, 825 F.3d 299 (6th Cir. 2016). These reasons include that the transcript contains minor Plaintiffs’ names and medical information. The proposed redactions are limited to *only* those words, lines, and/or portions of the transcript that contain this information.

¹ Co-Liaison Counsel filed their motion on the docket in the *Walters v. Flint*, No. 17-cv-10164 case, presumably because Dr. Specht’s deposition was taken in the bellwether cases and the Court has ordered all pre-trial motions and other filings in the bellwether cases to be filed on that docket. (*See* No. 17-10164, ECF No. 328.)

The Court has carefully reviewed the pages, lines, and basis for Co-Liaison Counsel for Individual Plaintiffs' redaction request and agrees that all of these specific items are appropriate for redaction with the following changes.

(1) An additional basis for redacting Volume 2, Page 479, Line 17 is that it contains a minor Plaintiff's medical information.

(2) There are several instances where additional lines should be or already were appropriately redacted but were not included in Plaintiffs' chart. Although these items may be already be covered by the Court's July 27, 2021 Order, the following lines should be redacted and are set forth for clarity purposes:

- Volume 1, Page 83, Lines 22–23 (minor Plaintiffs' names); Page 146, Line 18 (minor Plaintiffs' names); Page 335, Line 13–14 (minor Plaintiffs' names).
- Volume 2, Page 489, Line 9 (minor Plaintiffs' names); Page 490, Lines 7, 9, 10 (minor Plaintiffs' names); Page 490, Lines 18–19 (medical information).

(3) Finally, the Court has reviewed Volume 2, Page 495, Line 8, and finds that this line does *not* contain information that should be redacted.

Accordingly, the Court grants in part Co-Liaison Counsel for Individual Plaintiffs' motion. (No. 17-10164, ECF No. 377.)

IT IS SO ORDERED.

Dated: August 5, 2021
Ann Arbor, Michigan

s/Judith E. Levy
JUDITH E. LEVY
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on August 5, 2021.

s/William Barkholz
WILLIAM BARKHOLZ
Case Manager